



Town Council Agenda Report

SUBJECT: Ordinance

CONTACT PERSON/NUMBER: Request from Council - Robert Middaugh, 797-1035

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY ADDING TO CHAPTER 2, ARTICLE VI, DIVISION 1, A NEW SECTION NUMBERED 2-172, ENTITLED "RESTRICTIONS ON REPRESENTATION FOR COMPENSATION BEFORE THE TOWN BY FORMER OFFICERS OR EMPLOYEES"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Council discussed this item at its May 17th meeting and requested that this matter be heard as an ordinance. This ordinance would prohibit previous officers or employees from personally representing another person or entity for compensation before the Town of Davie for a period of two years. The exception to the prohibition would be for purposes of collective bargaining.

PREVIOUS ACTIONS: not applicable

CONCURRENCES: not applicable

FISCAL IMPACT: no

RECOMMENDATION(S): Motion to approve the ordinance

Attachment(s): Ordinance

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY ADDING TO CHAPTER 2, ARTICLE VI, DIVISION 1, A NEW SECTION NUMBERED 2-172, ENTITLED "RESTRICTIONS ON REPRESENTATION FOR COMPENSATION BEFORE THE TOWN BY FORMER OFFICERS OR EMPLOYEES"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute 112.313(13) provides that a municipality may adopt an ordinance restricting personal representation for compensation by former officers or employees before the municipality for a period of two (2) years following vacation of office or termination of employment; and

WHEREAS, the Town wishes to implement such an ordinance in accordance with the statute.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Chapter 2, Article VI, Division 1 of the Code of the Town of Davie is hereby amended by adding thereto a new section to read as follows:

Sec. 2-172. RESTRICTIONS ON REPRESENTATION FOR COMPENSATION BEFORE THE TOWN BY FORMER OFFICERS OR EMPLOYEES.

No appointed officer or employee of the Town of Davie shall, for a period of two (2) years following vacation of office or termination of employment, personally represent another person or entity for compensation before the Town of Davie except for the purposes of collective bargaining.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This Ordinance shall take effect sixty (60) days after its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2000

PASSED ON SECOND READING THIS _____ DAY OF _____, 2000

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000